

## Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

OMB-01 OES-06 AID-05 NEAE-00 /075 W

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P R 011310Z SEP 76

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC PRIORITY 8107

INFO AMEMBASSY COLOMBO

AMEMBASSY DACCA

AMEMBASSY ISLAMABAD

AMEMBASSY KATHMANDU

AMEMBASSY LONDON

AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL MADRAS

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C O N F I D E N T I A L SECTION 1 OF 2 NEW DELHI 12906

E.O. 11652: GDS

TAGS: PINT, IN

SUBJECT: CONSTITUTIONAL AMENDMENT BILL IS FINALIZED: ALL POWER  
TO THE CENTER

REFS: (A) NEW DELHI 7674 (NOTAL), (B) NEW DELHI A-215 (NOTAL),  
(C) NEW DELHI 12521 (NOTAL)

SUMMARY: THE CONSTITUTION (44TH AMENDMENT) SLL WAS PUT INTO  
FINAL FORM ON AUGUST 28, DISTRIBUTED TO MP'S ON AUGUST 30;  
AND FORMALLY INTRODUCED INTO THE LOK SABHA ON SEPTEMBER 1.  
THE BILL FOLLOWS MANY OF THE INITIAL SET OF RECOMMENDATIONS  
PROPOSED BY THE SWARAN SINGH COMMITTEE ON MAY 22 REGARDING THE  
JUDICIARY AND CIVIL LIBERTIES (REFTEL A); INCORPORATES MANY BUT NOT  
ALL OF THE  
COMMITTEE'S SUBSEQUENT PROPOSALS (REFAIR B); DROPS ONE IMPORTANT  
PROPOSAL THAT WOULD HAVE GIVEN THE GOI WIDE POWERS OVER INDI-  
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VIDUAL RIGHTS; AND ADDS A FEW NEW PROVISIONS NOT PREVIOUSLY

MOOTED BY THE SWARAN SINGH PANEL. AMONG THESE, THE MOST SIGNIFICANT ARE PROPOSALS TO EXTEND THE TERM OF THE LOK SABHA AND STATE LEGISLATURES FROM FIVE TO SIX YEARS, AND ANOTHER TO "INSTITUTIONALIZE" THE BAN ON "ANTI-NATIONAL ASSOCIATIONS" (READ THE ANAND MARG, RSS, ETC.). FINALLY, THE CONSTITUTION WOULD BE CHANGED SO THAT THE PRESIDENT IS SUBORDINATE TO THE PRIME MINISTER IN LAW AS WELL AS IN FACT. THESE CHANGES ARE LIKELY TO HAVE A FAR-REACHING EFFECT ON THE INDIAN POLITICAL SYSTEM: SUBSTANTIAL JUDICIAL POWER WILL BE CONCENTRATED IN THE HANDS OF THE SUPREME COURT, RATHER THAN IN THE STATE HIGH COURTS, AND EVEN WIDER AUTHORITARIAN EXECUTIVE POWERS WILL BE CONCENTRATED IN THE HANDS OF THE PRIME MINISTER, WHO IS NOW CLEARLY TO BE SUPERIOR TO THE PRESIDENT. INDIVIDUAL FUNDAMENTAL RIGHTS (I.E., CIVIL LIBERTIES) WILL BE SUBORDINATE TO THE HIGHER INTEREST OF "STATE POLICY" (I.E., THE DIRECTIVE PRINCIPLES). THE EXTENSION OF THE LIFE OF PARLIAMENT TO SIX YEARS COULD INDICATE THAT "NORMAL" ELECTIONS WILL BE HELD "AS SCHEDULED" NEXT FEBRUARY/MARCH, BUT THE GOI CONTINUES TO EVADE SUCH A COMMITMENT AS TO TIMING. IT APPEARS THAT AFTER SEVERAL MONTHS OF INDECISION WHETHER TO PRESS FORWARD WITH THESE CHANGES, MRS. GANDHI DECIDED NOT TO DELAY FURTHER AND HAS NOW CONFRONTED PARLIAMENT AND THE PRESIDENT WITH HER DESIGN FOR A SUBSTANTIALLY CHANGED POLITICAL SYSTEM. GIVEN CONGRESS' MAJORITY THERE SEEMS LITTLE DOUBT BUT THAT THE AMENDMENTS WILL BE PASSED IN THEIR PRESENT FORM BY A "SPECIAL SESSION" OF PARLIAMENT TO BE HELD LATER THIS YEAR. END SUMMARY.

1. THE CONSTITUTION AMENDMENT BILL INCORPORATES MANY OF

THE SWARAN SINGH COMMITTEE'S INITIAL PROPOSALS AS REPORTED IN REFTEL (A). THE MOST SIGNIFICANT OF THESE ARE:

(A) TO AMEND THE PREAMBLE TO SPECIFY THAT INDIA IS A "SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC," AND NOT MERELY A "SOVEREIGN DEMOCRATIC REPUBLIC."

(B) TO AUTHORIZE THE PRESIDENT TO LIMIT A DECLARATION OF EMERGENCY IN A SPECIFIC PART OF THE COUNTRY AND TO

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LIFT IT ON A SELECTIVE BASIS.

(C) TO AUTHORIZE THE CENTER TO DEPLOY ANY ARMED FORCE IN THE STATES WITHOUT RECEIVING THE REQUEST OR THE PERMISSION OF THE STATE GOVERNMENT FOR SUCH DEPLOYMENT AND TO RETAIN CONTROL OVER THESE FORCES WHILE DEPLOYED.

2. JUDICIARY: THE BILL ALSO RESTRICTS THE JURISDICTION OF

THE STATE HIGH COURTS TO SUCH A DEGREE AS TO PRACTICALLY  
EMASCULATE THEIR INFLUENCE ON CONSTITUTIONAL OR FEDERAL LAW.  
THE KEY PROPOSALS IN THIS REGARD ARE:

(A) ARTICLE 131A IS TO BE ADDED UNDER WHICH ONLY THE SUPREME  
COURT "SHALL, TO THE EXCLUSION OF ANY OTHER COURT, HAVE  
JURISDICTION TO DETERMINE ALL QUESTIONS RELATING TO THE  
CONSTITUTIONAL VALIDITY OF ANY CENTRAL LAW." (PRESENTLY,  
HIGH COURTS MAY HEAR CASES INVOLVING CENTRAL LAWS.)  
IN ADDITION, THE SUPREME COURT IS TO HAVE THE POWER TO  
REMOVE FROM  
JURISDICTION OF A HIGH COURT ANY CASE WHICH  
IT CONSIDERS TO INVOLVE QUESTIONS REGARDING THE VALIDITY  
OF A CENTRAL LAW.

(B) IF THERE ARE CASES BEFORE TWO OR MORE HIGH COURTS WHICH  
INVOLVE SIMILAR STATE LAWS (E.G., ON LAND REFORM) THE  
SUPREME COURT CAN STEP IN AND DISPOSE OF THESE CASES ITSELF.  
ALSO, THE SUPREME COURT WILL HAVE THE POWER TO TRANSFER A  
CASE FROM ONE HIGH COURT TO ANOTHER.

(C) THE WRIT AUTHORITY  
OF HIGH COURTS IS TO BE SUBSTANTIALLY  
REDUCED. ARTICLE 226 IS ONE OF THE CONSTITUTION'S KEY  
PROVISIONS IN THAT IT HAS ALLOWED HIGH COURTS TO ISSUE WRITS  
FOR THE ENFORCEMENT OF FUNDAMENTAL RIGHTS AND "FOR ANY

OTHER PURPOSE." ARTICLE 226 IS TO BE AMENDED SO THAT THIS  
LATTER PHRASE IS ELIMINATED. IN EFFECT, THIS MEANS THAT  
THE WRIT-ISSUING POWER OF HIGH COURTS HAS BEEN RESTRICTED  
TO CASES INVOLVING FUNDAMENTAL RIGHTS; IN ANY OTHER CASE, A  
HIGH COURT CAN ISSUE A WRIT ONLY WHERE THERE IS NO OTHER  
REMEDY AVAILABLE.

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(D) IN ANOTHER MOVE TO RESTRICT THE JURISDICTION OF HIGH  
COURTS, PARLIAMENT WOULD BE EMPOWERED TO CREATE SPECIAL  
ADMINISTRATIVE TRIBUNALS WHICH WOULD ADJUDICATE  
MATTERS INVOLVING MEMBERS OF THE "PUBLIC SERVICES." IN  
EFFECT, CIVIL SERVANTS WOULD NO LONGER BE ABLE TO APPEAL TO  
HIGH COURTS IN MATTERS INVOLVING THEIR TENURE OR CONDITIONS  
OF SERVICE (A PROPOSAL, WE ARE TOLD, WHICH IS OF SERIOUS CONCERN  
TO BUREAUCRATS). IN ADDITION, STATE LEGISLATURES WOULD BE  
EMPOWERED TO CREATE SPECIAL TRIBUNALS TO ADJUDICATE MATTERS  
INVOLVING TAXES, INDUSTRIAL AND LABOR DISPUTES, LAND  
REFORM MEASURES, URBAN LAND CEILING MEASURES, AND THE  
PROCUREMENT AND DISTRIBUTION OF FOODGRAINS AND ESSENTIAL  
COMMODITIES.

(E) LASTLY, ARTICLE 312 WOULD BE AMENDED TO ENABLE PARLIAMENT TO CREATE AND "ALL-INDIA JUDICIAL SERVICE." AT PRESENT DISTRICT JUDGES AND HIGH COURT JUDGES ARE RECRUITED BY STATE GOVERNMENTS. IT IS APPARENT THAT THE INTENT OF THIS CHANGE IS TO BRING JUDGES MORE DIRECTLY UNDER THE CONTRL AND SUPERVISION OF THE CENTRAL AUTHORITIES.

3. CIVIL LIBERTIES: THE SCOPE OF ARTICLE 31C OF THE CONSTITUTION IS TO BE EXPENDED SO AS TO ENCOMPASS ALL OF THE DIRECTIVE PRINCIPLES OF STATE POLICY. THIS WILL MEAN THAT NO LAW DESIGNED TO PROMOTE ANY OF THE DIRECTIVE PRINCIPLES CAN BE DECLARED INVALID ON THE GROUNDS THAT IT ABRIDGES FUNDAMENTAL RIGHTS. (AT PRESENT, ARTICLE 31C COVERS ONLY TWO OF THE DIRECTIVE PRINCIPLES.) IN EFFECT, FUNDAMENTAL RIGHTS (I.E., INDIVIDUAL CIVIL LIBERTIES) WILL BE SUBORDINATED TO THE NEED TO PROMOTE THE DIRECTIVE PRINCIPLES, I.E., TO PROMOTE THE GOALS OF THE WELFARE STATE.

4. COURT REVIEW OF CONSTITUTIONAL AMENDMENTS: THE POWER OF PARLIAMENT TO AMEND THE CONSTITUTION IS MADE ABSOLUTE BY SPECIFYING THAT ANY AMENDMENT PASSED IN ACCORDANCE WITH THE GIVEN PROCEDURE (ARTICLE 368) "SHALL NOT BE CALLED IN QUESTION IN ANY COURT." THE RULE OF NON-JUSTICIABILITY WILL APPLY TO BOTH PREVIOUSLY-PASSED AMENDMENTS AS WELL AS TO THOSE PASSED IN THE FUTURE.  
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5. ELECTORAL DISQUALIFICATION: ARTICLES 103 AND 192 ARE TO BE AMENDED SO THAT ANY QUESTIONS REGARDING IMPROPRIETIES IN THE ELECTION OF AN MP TO PARLIAMENT OR OF AN MLA TO A STATE LEGISLATURE WILL NOT BE SUBJECT TO JUDICIAL REVIEW. RATHER, SUCH CASES WILL BE REFERRED DIRECTLY TO THE PRESIDENT WHO, AFTER CONSULTING THE ELECTION COMMISSION, WILL MAKE THE FINAL DECISION. HIS DECISION WILL BE FINAL.

6. FUNDAMENTAL DUTIES: IN ACCORDANCE WITH THE SWARAN SINGH COMMITTEE PROPOSALS, A LIST OF TEN FUNDAMENTAL DUTIES OF THE CITIZEN ARE TO BE ADDED TO PART IV. THE WORDING OF THESE PROPOSALS IS MORE WATERED DOWN AND GENERALIZED THAN ORIGINALLY PROPOSED. MOREOVER, THE GOVERNMENT

DROPPED THE PANEL'S EARLIER RECOMMENDATION THAT PARLIAMENT BE EMPOWERED TO LEGISLATE PENALTIES AND PUNISHMENT FOR NON-COMPLIANCE WITH THESE DUTIES AND THAT SUCH LAWS BE NON-JUSTICIABLE. IT IS APPARENT THAT SWARAN SINGH'S MISGIVINGS ON THE WISDOM OF SUCH PENALTIES, AS EXPRESSED IN QUOTE#25 (REF-TEL C), FINALLY CARRIED THE DAY.

NOTE BY OC/T: # AS RECEIVED.

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INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-02

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC PRIORITY 8108

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7. SEVERAL OF THE LATER SWARAN SINGH COMMITTEE PROPOSALS WERE ALSO INCLUDED IN MODIFIED FORM. THESE PRIMARILY RELATE TO RULES OF PROCEDURE IN PARLIAMENT AND THE STATE LEGISLATURES, AS WELL AS THE INCLUSION OF "POPULATION CONTROL AND FAMILY PLANNING" ON THE CONCURRENT LIST OF CENTRAL/STATE SUBJECTS. THE EARLIER RECOMMENDATION THAT FAMILY PLANNING BE MADE A DIRECTIVE PRINCIPLE WAS APPARENTLY OVERRULED.

(A) THE BILL ALSO PROPOSES TO AMEND THE CONSTITUTION SO THAT THE NUMBER OF SEATS IN THE LOK SABHA AND IN THE STATE LEGISLATURES, AS WELL AS THE BOUNDARIES OF ELECTORAL DISTRICTS, WILL NOT CHANGE FROM THE CONFIGURATION PRODUCED BY THE 1971 CENSUS UNTIL THE COMPLETION OF THE FIRST CENSUS AFTER THE YEAR 2000. THE PURPOSE OF THIS 30-YEAR FREEZE ON REDISTRICTING IS SO THAT STATES WHICH ACTIVELY PRACTICE FAMILY PLANNING WILL NOT LOSE SEATS TO THOSE

STATES WHICH ARE LOATH TO CONTROL THEIR POPULATIONS.

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(B) ALSO THERE IS A PROVISION THAT PROCLAMATION OF PRESIDENT'S RULE IN A STATE WOULD BE VALID FOR ONE YEAR, RATHER THAN SIX MONTHS, AS AT PRESENT.

8. AMONG THE "NEW" AMENDMENTS IN THE BILL (I.E., THOSE NOT PREVIOUSLY PUBLICLY MOOTED BY THE SARAN SINGH PANEL), THE MOST PUBLICIZED ONE IS THE AMENDMENT OF ARTICLES 83 AND 172 TO ALLOW A TERM OF SIX YEARS, RATHER THAN FIVE AS AT PRESENT, FOR THE LOK SABHA AND THE STATE LEGISLATURES RESPECTIVELY. SINCE THIS AMENDMENT WOULD APPLY TO THE HOUSES THAT ARE CURRENTLY IN SESSION, THE EFFECT WOULD BE THAT THE ONE-YEAR EXTENSION OF THE LOK SABHA ENACTED LAST FEBRUARY WOULD BE CONSIDERED TO HAVE NEVER TAKEN PLACE. IT ALSO WOULD GRANT A ONE-YEAR REPRIEVE TO MOST OF THE COUNTRY'S STATE ASSEMBLIES, SINCE MOST OF THESE WERE ELECTED IN 1972.

9. ANOTHER "NEW" PROPOSAL IS THE ONE GRANTING TO PARLIAMENT ALONE THE POWER TO PASS LAWS FOR THE "PREVENTION AND PROHIBITION OF ANTI-NATIONAL ACTIVITIES" AND FOR THE "PREVENTION OF FORMATION OF, AND THE PROHIBITION OF, ANTI-NATIONAL ASSOCIATIONS." FURTHERMORE, SUCH LAWS CANNOT BE DECLARED INVALID ON THE GROUNDS THAT THEY ABRIDGE OR INFRINGE ON AN INDIVIDUAL'S FUNDAMENTAL RIGHTS. ALTHOUGH THIS CLAUSE APPEARS TO BE PRIMARILY DIRECTED AGAINST THOSE ORGANIZATIONS BANNED UNDER DIR IN JULY 1975 (RSS, JAMAAT-I-ISLAMI, ANAND MARG, ETC.), SUCH A BROAD DEFINITION OF -ANTI-NATIONAL ACTIVITIES AND ASSOCIATIONS" IS GIVEN IN THE CLAUSE THAT THE GOVERNMENT COULD INTERPRET THE WORDING IN SUCH A WAY AS TO BAN ALMOST ANY GROUP IT DESIRES. PROHIBITED ACTIVITY BY INDIVIDUALS OR ASSOCIATIONS IS DEFINED IN PART AS FOLLOWS: "ANTI-NATIONAL ACTIVITY... MEANS ANY ACTION TAKEN BY AN INDIVIDUAL OR ASSOCIATION... WHICH DISCLAIMS, QUESTIONS, THREATENS, DISRUPTS OR IS INTENDED TO THREATEN OR DISRUPT THE SOVEREIGNTY AND INTEGRITY OF INDIA OR THE SECURITY OF THE STATE OR THE UNITY OF THE NATION; WHICH IS INTENDED...TO CREATE INTERNAL DISTURBANCE OR THE DISRUPTION OF PUBLIC SERVICES; WHICH IS INTENDED... TO THREATEN OR DISRUPT HARMONY BETWEEN DIFFERENT RELIGIOUS, RACIAL, LANGUAGE OR REGIONAL GROUPS OR CASTES OR COMMUNITIES."

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10. ANOTHER SIGNIFICANT AMENDMENT CONCERNS THE RULES PROMULGATED BY THE PRESIDENT AND BY THE GOVERNOR OF A STATE FOR THE "MORE CONVENIENT TRANSACTION" OF UNION AND STATE GOVERNMENT BUSINESS. SINCE SUCH RULES MUST BE KEPT "CONFIDENTIAL", IT IS PROPOSED THAT NO SUCH RULES MAY BE PRODUCED IN ANY COURT OF LAW. THE EFFECT WOULD BE TO RENDER THE CENTRAL AND STATE GOVERNMENTS IMMUNE FROM HAVING TO DISCLOSE ANY RULES GOVERNING OFFICIAL CONDUCT OF BUSINESS.

11. THE ARTICLE DEFINING THE ROLE OF THE EXECUTIVE IS AMENDED TO READ: "THERE SHALL BE A COUNCIL OF MINISTERS WITH THE PRIME MINISTER AT THE HEAD TO AID AND ADVISE THE PRESIDENT WHO SHALL, IN THE EXERCISE OF HIS FUNCTIONS, ACT IN ACCORDANCE WITH SUCH ADVICE." THE PRESENT WORDING OF THIS ARTICLE SIMPLY STATES THAT THE COUNCIL AND PM WILL AID AND ADVISE THE PRESIDENT IN THE EXERCISE OF HIS FUNCTIONS. THE EFFECT OF THIS CHANGE IS CLEARLY TO REMOVE ANY DOUBT THAT THE PRESIDENT'S POSITION DOES NOT GIVE HIM ANY POWERS TO AMEND, INTERFERE WITH, DELAY, OR OTHERWISE IMPEDE THE ACTIONS OF THE PRIME MINISTER. AS A FINAL ITEM IN THE AMENDMENTS IS A CATCH-ALL PROVISION THAT FOR A PERIOD OF TWO YEARS FOLLOWING PASSAGE OF THE AMENDMENTS, THE PRESIDENT MAY ISSUE ANY ORDER NECESSARY TO "REMOVE ANY DIFFICULTIES" WHICH MAY ARISE IN IMPLEMENTING THE NEW AMENDMENTS, REGARDLESS OF ANY OTHER PROVISION OF THE CONSTITUTION. THIS MAY BE ONE OF THOSE SAVING CLAUSES FOR LAWYERS, BUT THEORETICALLY ALSO OPENS UP EVEN FURTHER FLEXIBILITY FOR THE GOVERNMENT SHOULD IT WISH TO TAKE MAXIMUM ADVANTAGE OF THE OPENINGS OFFERED BY THE NEW AMENDMENTS.

12. COMMENT: WHILE MANY OF THE PROPOSED CHANGES RELATE TO THE RELATIVELY MINOR PROCEDURAL ADJUSTMENTS, SEVERAL OF THE AMENDMENTS CLEARLY HAVE FAR-REACHING IMPLICATIONS FOR THE FUTURE AND THE INDIAN POLITICAL SYSTEM AND FOR THE CIVIL LIBERTIES OF INDIVIDUAL INDIAN CITIZENS. THE SUBSTANTIAL REDUCTION OF THE POWERS AND JURISDICTION OF THE STATE HIGH COURTS AND THE TRANSFER OF THESE POWERS TO THE SUPREME COURT INDICATES MORE THAN JUST A MAJOR SHIFT OF JUDICIAL POWER FROM THE STATES TO THE CENTER: IT ALSO IMPLIES A SUBSTANTIAL REDUCTION IN THE RIGHT OF INDIVIDUAL CITIZENS TO PETITION THE COURTS FOR A REDRESS OF THEIR GRIEVANCES. SIMILARLY, THE SUBORDINATION OF FUNDAMENTAL RIGHTS TO THE NEED TO

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IMPLEMENT THE DIRECTIVE PRINCIPLES IS CLEARLY AN INDICATION THAT CIVIL LIBERTIES MAY BE FREELY ABROGATED IN THE HIGHER INTEREST OF "STATE POLICY". THE RECOMMENDATION THAT PARLIAMENT (AND NOT THE STATE LEGISLATURES) BE EMPOWERED TO PASS LAWS TO BAN "ANTI-NATIONAL" GROUPS ALSO POINTS TO A GREATER CONCENTRATION OF AUTHORITARIAN POWER IN THE CENTER AND EFFECTIVELY GIVES THE GOI A CARTE BLANCHE TO

BAN ANY GROUP OR POLITICAL PARTY IT WISHES. WHEN AND IF THESE AMENDMENTS COME INTO EFFECT, MANY OF THE GOVERNMENT'S EMERGENCY POWERS WILL HAVE BECOME "INSTITUTIONALIZED" AND CODIFIED AS A PART OF THE CONSTITUTION. NOT ONLY WILL POWER BE CONCENTRATED IN THE CENTER, BUT MORE SPECIFICALLY IN THE HANDS OF THE PRIME MINISTER. THE PRESIDENT WILL STILL BE CHIEF OF STATE, BUT HE WILL HENCEFORTH "ACT IN ACCORDANCE WITH THE ADVICE" OF THE PRIME MINISTER. THE PRIME MINISTER IS THUS DIRECTLY AND FRONTALLY RESOLVING HER REPORTED "PROBLEMS" WITH THE VIEWS OF THE PRESIDENT.

13. THE EXTENSION OF THE LIFE OF PARLIAMENT TO SIX YEARS COULD INDICATE THAT THE PRIME MINISTER WILL THEN "NORMALLY" HOLD ELECTIONS "AS SCHEDULED" NEXT SPRING. BUT SHE, OF COURSE, STILL HAS THE OPTION OF DELAYING FOR ANOTHER YEAR. LAW MINISTER GOKHALE REFUSED TO TELL PARLIAMENT AUGUST 31 THAT ELECTIONS WOULD IN FACT BE HELD "SOON" AND DENIED ANY IMPLICATIONS TO THIS EFFECT IN A STATEMENT BY HIS DEPUTY TO THE ARJYA SABHA SEVERAL DAYS EARLIER (NEW DELHI 12426).

14. WE HAD HEARD WIDESPREAD REPORTS OF DISSATISFACTION WITH THE ORIGINAL SWARAN SINGH PROPOSALS AND THAT THE PRIME MINISTER WAS UNDECIDED WHETHER TO PRESS THEM FORWARD OR NOT. THE PROPOSAL BEING SUBMITTED IS, IF ANYTHING, STRONGER OVERALL THAN THE EARLIER SUGGESTIONS AND WE ASSUME DISGRUNTLEMENT WILL CONTINUE. SOME CRITICS HAD EXPRESSED THE HOPE THAT IF THE CURRENT SITUATION DRAGGED ON FOR SEVERAL MONTHS. OPPOSITION AMONG MPS MIGHT MOUNT TO THE POINT WHERE THE PRIME MINISTER MIGHT ACTUALLY BE IN JEOPARDY. WHETHER FOR THIS REASON OR NOT, MRS. GANDHI DECIDED NOT TO DELAY MUCH LONGER BUT TO CONFRONT THE PARLIAMENT AND THE PRESIDENT WITH THE CHANGES SHE WANTS MADE. THE MIN FOR PARLIAMENTARY AFFAIRS PROPOSED THAT A "SPECIAL SESSION" OF PARLIAMENT

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BE HELD IN OCTOBER OR (WE HEAR NOVEMBER) TO REVIEW THE CONSTITUTIONAL AMENDMENT BILL; AND THIS WAS AGREED TO BY THE PARLIAMENT SEPT 1. AT THIS POINT, IT IS HARD TO SEE HOW IT CAN AVOID BEING PASSED IN ALMOST THE SAME FORM IT IS NOW BEING SUBMITTED. END COMMENT.

15. WE ARE POUCHING COPIES OF THE AMENDMENT BILL TO NEA/INS AND INR/RNA/SOA.  
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## Message Attributes

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